

Attachment 5: Draft Zoning Bylaw Amendment

Authority: Toronto and East York Community Council Item [-], as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2025 as 2010-2050 Yonge Street and 15 Lola Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act, as amended; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)".

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of **CR SS2 (x554)** to a zone label of **(H) CR SS2 (x1249)** as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 1249 so that it reads:

(1249) Exception CR 1249

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) A **building** or **structure** not constructed, used or enlarged in compliance with Regulations (B) to (V) below, must comply with Regulation 900.11.10(554);
- (B) On lands municipally known as 2010-2050 Yonge Street and 15 Lola Road, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Regulations (C) to (V) below;
- (C) These **premises** must comply with Regulation 900.11.10(729);
- (D) These **premises** must comply with Regulations 900.11.10(732)(C) and (D);
- (E) These **premises** must comply with Regulation 900.11.10(733);
- (F) Despite Regulation 900.11.10(729)(D), a **building** containing 80 **dwelling units** or greater must comply with the following:
 - (i) a minimum of 15 percent of the total number of **dwelling units** must have two or more bedrooms;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms;
 - (iii) in addition to those **dwelling units** provided to satisfy (i) and (ii) above, a minimum of an additional 15 percent of the total number of **dwelling units** must have two or three bedrooms (or be convertible to two or three bedrooms through the use of adaptable design measures);
 - (iv) any **dwelling units** with three or more bedrooms provided to satisfy (ii) above are not included in the provision required by (i) above; and
 - (v) if the calculation of the number of required **dwelling units** with two or three bedrooms results in a percentage of **dwelling units** that is not a whole number, the percentage shall be deemed rounded up to the nearest whole number;
- (G) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 156.72 metres and the elevation of the highest point of the **building** or

structure;

- (H) Despite regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (I) Despite regulations 40.5.40.10(3) to (8) and (H) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, elements and **structures** associated with a **green roof**, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 6.0 metres;
 - (ii) architectural features, cladding, parapets, and **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 6.0 metres;
 - (iii) ornamental elements and pipes, by a maximum of 3.0 metres;
 - (iv) trellises, pergolas, screens and wind protection by a maximum of 4.0 metres;
 - (v) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (vi) planters, **landscaping** features, public art features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 3.0 metres; and
 - (vii) antennae, flagpoles and satellite dishes, by a maximum of 2.0 metres, which is also permitted above the permitted maximum height for the mechanical penthouse described in (i) above.
- (J) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at the following rate:
 - (i) At least 2.0 square metres for each dwelling unit as indoor **amenity space**;
 - (ii) At least 2.0 square metres of outdoor **amenity space** for each **dwelling unit** of which 40 square metres must be in a location adjoining or directly accessible to the indoor **amenity space**; and
 - (iii) No more than 25% of the outdoor component may be a **green roof**;

- (K) Despite regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 24,000 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 22,300 square metres;
 - (ii) the required minimum **gross floor area** for non-residential uses is 1,400 square metres;
- (L) Despite regulation 40.10.40.70(2) and 40.10.40.80(2), the required minimum **building setbacks** and separation of **main walls** are as shown in metres on Diagram 3 of By-law **[Clerks to insert By-law number]**;
- (M) Despite (L) above, the required minimum separation distance between the **building(s)**, including all below and above ground **structures**, to any **buildings** or **structures** of a **transportation use** is 3.0 metres;
- (N) Despite Clause 40.10.40.60, and (L) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks and porches, by a maximum of 1.5 metres;
 - (ii) balconies are permitted within the “balcony zone” as identified on Diagram 4 of By-law **[Clerks to insert By-law number]**, by a maximum of 1.5 metres;
 - (iii) canopies and awnings, by a maximum of 3.0 metres;
 - (iv) exterior stairs, access ramps and elevating devices, by a maximum of 3.0 metres;
 - (v) cladding added to the exterior surface of the **main wall** of a **building**, and eaves by a maximum of 1.0 metres;
 - (vi) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, by a maximum of 0.5 metres; and
 - (vii) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.0 metre;
- (O) Despite regulation 230.5.10.1(13), oversized **bicycle parking spaces** are not required.
- (P) Despite regulation 230.5.10.1(15), all “long-term” **bicycle parking space** may be stacked;
- (Q) Despite Article 200.25.15, if **parking spaces** are provided on the **lot**, a

percentage of the provided **parking spaces** must be accessible **parking spaces** in accordance with Section 200.15;

- (R) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
 - (i) length of 5.6 metres;
 - (ii) width of 3.4 metres; and
 - (iii) vertical clearance of 2.1 metres;
- (S) Despite regulation 200.15.1(3), the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide shared access aisle or path on one side of the accessible **parking space**;
- (T) Despite regulation 200.15.1(4), accessible **parking spaces** must be located within a maximum of:
 - (i) 25 metres from the entrance to a **building**; or
 - (ii) 30 metres from a passenger elevator that provides access to the first **storey** of a **building**;
- (U) Despite Clause 220.5.10.1, a minimum of one (1) Type "G" **loading space** and one (1) Type "B" **loading space** must be provided and maintained on the **lot**;
- (V) In addition to the requirements of regulation 900.11.10(732)(C) and (733)(A), a minimum of 5 non-residential units must be provided along the **lot frontage** fronting Yonge Street.

Prevailing By-laws and Prevailing Sections: "(None Apply)"*

- 5. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
- 6. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy lines on Diagram 2 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
 - (i) City Council has authorized the permanent closure (stop-up) of the

laneway municipally known as Ln W Yonge S Lola Rd through the enactment of a closing by-law; and the closing by-law has taken legal effect through registration on title;

- (ii) An agreement of purchase and sale between the city and the owner, on terms satisfactory to the City, has been executed for the applicable lane lands; and
- (iii) The laneway transaction(s) have closed and title has transferred in accordance with the agreement of purchase and sale and any related conveyances, including to a third party, have been completed;

Enacted and passed on **[Clerks to insert date]**.

Frances Nunziata,
Speaker
(Seal of the City)

John D. Elvidge
City Clerk





